

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

REBECCA THOMASSON,

Plaintiff,

v.

No. SA-21-CV-00687-JKP

PHILIP D STERN,

Defendant.


**ORDER RESERVING RULING ON EX PARTE MOTION**

Before the Court is *Plaintiff's Ex-Parte Application for an Extension of Time to File Motion for Entry of Default Judgment* (ECF No. 16). The motion is not one that ordinarily may be heard ex parte and the Court does not consider the motion proper to the extent that Plaintiff requests an ex parte ruling. Therefore the Court must allow Defendant time to respond before considering and ruling on the motion. *See* W.D. Tex. L.R. CV-7(d).

Plaintiff's motion certifies that Plaintiff's counsel served a copy of the motion on Defendant "via U.S. Mail and by filing it with the Court's CM/ECF System." ECF No. 16 at 3. However, the CM/ECF receipt does not show that Defendant received electronic service.

Because it appears that Defendant was served the motion by U.S. Mail only, the Court will reserve ruling and consider Plaintiff's motion on or after January 15, 2022. This Order is not ex parte and shall be filed on the docket and sent to all parties electronically or to the address on file as appropriate.

**It is so ORDERED this 6th day of January 2022.**

  
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JASON PULLIAM  
UNITED STATES DISTRICT JUDGE